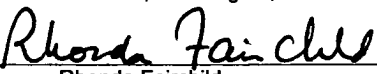


CERTIFICATE OF EXPRESS MAILING	
NUMBER	EL 522 496 449 US
DATE OF DEPOSIT	April 3, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.	
 Rhonda Fairchild	



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: 4020.000499

Prior Serial No.: 08/872,222

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application Examiner: Ambrose, M.G.

Prior Group Art Unit: 1626

**REQUEST FOR FILING CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/872,222, filed June 10, 1997, entitled "MOLECULAR PROBES AND MODULATORS FOR PI-PLC AND PI 3 KINASE".

- ☒ 1. Enclosed is a copy of the prior application Serial No. 08/872,222 as originally filed, including specification, claims, informal drawings, original declaration and transmittal documents. A true copy of the substitute inventor's declaration properly submitted after the filing date is also enclosed. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter

The PTO did not receive the following listed item(s) <u>postcard return</u>

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therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial No. 08/872,222.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

☒ 2. Enclosed is a check in the amount of \$842.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 8 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS CLAIMS CANCELED BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$ 355.00
Total Claims	43 - 20 =	23	\$ 9.00 =	\$ 207.00
Independent Claims	10 - 3 =	7	\$40.00 =	\$ 280.00
				.00
Multiple Dependent Claim(s) -----				\$ 842.00
				-0-
TOTAL FILING FEES:				\$ 842.00

☒ 3. Applicant is entitled to Small Entity Status for this application.

☐ (a) A small entity statement is enclosed.

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☒ (b) Two small entity statements were filed in the prior nonprovisional application and such status is still proper and desired (copies attached).

☐ (c) Small entity status is no longer claimed.

☒ 4. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Williams, Morgan and Amerson, P.C. Deposit Account No. 50-0786/4020.000499.

☒ 5. Enclosed are copies of the original and current Power of Attorney documents (two) in the prior application.

☒ 6. Address all future communications to:

Shelley P.M. Fussey
WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-7000

☒ 7. The prior application is presently assigned to Nutrimed Biotech (copy of two prior Assignments attached).

☒ 8. Enclosed is a Preliminary Amendment (including Exhibits A-E; two (cleaned and marked) substitute specifications; and an Inventor's Rule 131 Declaration). Any additional fees incurred by this amendment are included in the check at No. 2 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.

☒ 9. Cancel in this application claims 2-10 of the prior application before calculating the filing fee (at least one original independent claim must be retained).

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- ☐ 10. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. _____ filed ____.
- ☒ 11. Enclosed are formal drawings of FIG. 1 and FIG. 2 on a total of 2 sheets.
- ☒ 12. The present paper constitutes Applicants' compliance with their duty of disclosure under 37 C.F.R. §1.56. Please make all prior art of record in parent application Serial No. 08/872,222 of record in this case, including that cited by the Office and Applicants. As a courtesy, the following is enclosed:
- ☒ (a) Copies of PTO-1449s from prior application.
- ☐ (b) Copies of IDS citations.
- ☐ 13. Transfer the sequence information, including the computer readable form previously submitted in parent application Serial No. _____, filed _____, for use in this application. 37 C.F.R. § 1.821(e).
- ☒ 14. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i).
- ☒ 15. Return Receipt Postcard.

Respectfully submitted,



Shelley P.M. Fussey
Reg. No. 39,458
Agent for Applicants

WILLIAMS, MORGAN & AMERSON, P.C.
7676 Hillmont, Suite 250
Houston, Texas, 77040
(713) 934-4079

Date: April 3, 2001

09826396-040301

APR 03 2001

PATENT APPLICATION TRANSMITTAL LETTER

Docket Number (Optional)

To the Commissioner of Patents and Trademarks:

Transmitted herewith for filing under 35 U.S.C. 111 and 37 CFR 1.53 is the patent application of

Rajindra Anejaentitled Molecular Probes and Modulators for PI-3K and PI 3-Kinase

Enclosed are:

- ☒ 21 pages of written description, claims and abstract.
- ☒ 2 sheets of drawings.
- ☒ an assignment of the invention to Nutriment Biotech
- ☒ executed declaration of the inventor.
- ☐ a certified copy of a _____ application.
- ☐ associate power of attorney.
- ☒ a verified statement to establish small entity status under 37 CFR 1.9 and 1.27.
- ☐ information disclosure statement
- ☐ preliminary amendment
- ☒ other: Copy of Filing Receipt of Provisional Application. AND

CLAIMS AS FILED

cert. mailing

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE (37 CFR 1.16(a))			\$ 730	\$ 730
TOTAL CLAIMS (37 CFR 1.16(c))	- 20 =		x \$ 22	0
INDEPENDENT CLAIMS (37 CFR 1.16(b))	- 3 =		x \$ 76	0
MULTIPLE DEPENDENT CLAIM PRESENT	(37 CFR 1.16(d))		\$240	0
NUMBER EXTRA MUST BE ZERO OR LARGER			TOTAL	\$ 750
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	\$ 375

☐ A check in the amount of \$ 375 to cover the filing fee is enclosed. ck # 2591

☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. I have enclosed a duplicate copy of this sheet.

- ☐ Charge the amount of \$ _____ as filing fee.
- ☐ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

06.10.97

Date

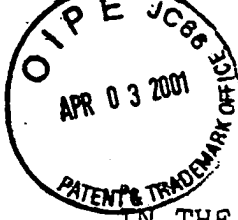
Signature

Rajindra Aneja

Typed or printed name

Nutriment Biotech, Cornell Univ Res Park270-276 Langmuir Laboratory95 Rosson Road, Elhaca, NY 11752

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)

Serial No.:) Group Art Unit:

Filed :) Examiner:

For :)

CERTIFICATE OF MAILINGExpress Mail No. EI348/40889US (if applicable)Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the accompanying
Patent Application dated 06.10.97, was mailed to
Assistant Commissioner of Patents and Trademarks, Washington, D.C.
20231,

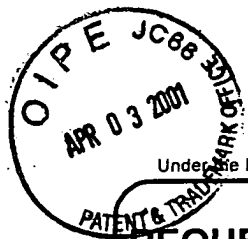
by Express mail, postage prepaid on 06.10.97
(express, first class)

Respectfully submitted,

(your name type written)

Rajindra Aneja

Dated 06.10.97



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Rajindra Aneja
	Title	Molecular Probes and Modulators for PI-PLC abd PI 3 Kinase
	Atty Docket Number	4020-000499

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3rd April, 2001

Date

Signature

Shelley P.M. Fussey; Reg. No. 39,458

Typed or printed name

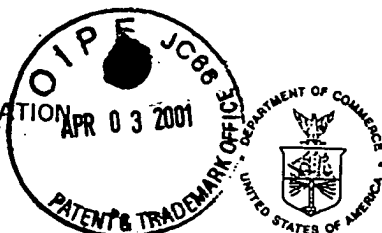
This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

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PROVISIONAL APPLICATION
FILING RECEIPT



Rec'd 7/23/96
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS
60/019,651	06/11/96	\$75.00		0

RAJINDRA ANEJA
NUTRIMED BIOTECH
CORNELL UNIVERSITY RESEARCH PARK
270-276 LANGMUIR LAB 95 BROWN ROAD
ITHACA NY 14850

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to Box Provisional Application within 10 days of receipt. Please provide a copy of the Provisional Application Filing Receipt with the changes noted thereon. This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s) RAJINDRA ANEJA, ITHACA, NY.

FOREIGN FILING LICENSE GRANTED 07/15/96

* SMALL ENTITY *

TITLE

MOLECULAR PROBES AND MODULATORS FOR PI-PLC AND PI 3-KINASE